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May 22, 2023

Hon. Vera Scanlon USMJ
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11212

VIA ECF

Re: 9215-5498 QUEBEC, INC. d/b/a NRG GLOBAL SOURCING, INC. and as assignee of all rights and claims from the intermediary brokers BOB-BILLA DISTRIBUTORS, INC., ET AL. v. COVCARE, INC., ET AL. (21-cv-05376)

Dear Judge Scanlon,

This firm represents the Defendants CovCare, Wooter, Alex Aleksandrovski and David Kleyman in the above-referenced matter. I write in response to the letter of Plaintiffs' counsel dated May 10, 2023 and apologize for any delay as I was out of the country for an arbitration.

This case has sat in the doldrums. On December 15, 2022, parties served their demands for documents and interrogatory responses. Defendants objected to Plaintiffs' demands as overbroad on January 10, 2023, and invited Plaintiffs to narrow their requests and/or to hold a meet and confer. Counsel met and conferred but none of the agreed revised demands have been forthcoming. Plaintiffs have never responded to Defendants demands.

The Defendants have actively sought to settle this matter in the interim period.

As it stands the motions to dismiss that have been fully submitted as per the order of the Court [Doc. 48] await a report and recommendation.

On the issue of experts, which we understand is the purpose of the hearing in May 23, 2023, Plaintiffs stated that it is their intention to rely upon the preliminary ruling of Her Honor Gujarati in a separate case of a likelihood of success on 3M prevailing at trial, instead of seeking to produce or adduce evidence in this matter. If this is still Plaintiffs' position, we would dearly like to know so that Defendants can plan accordingly.



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Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'R. Garson'.

Robert Garson

cc. Counsel of Record (Via ECF)

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